



**MICHIGAN**  
**HOUSE OF REPRESENTATIVES**  
P.O. Box 30014  
LANSING, MICHIGAN 48909-7514

**MINUTES OF THE COMMITTEE**  
**ON**  
**JUDICIARY**

Thursday, April 28, 2016                      9:00 a.m.                      Room 327 House Office Building

The House Standing Committee on Judiciary was called to order by Chairman Kesto.

Members present: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson, Chang, Guerra.

Members absent/excused: None.

Representative Lucido moved to adopt the minutes of April 19, 2016. There being no objection, the motion prevailed by unanimous consent.

Chairman Kesto laid the following bills before the committee:

- |        |               |   |
|--------|---------------|---|
| SB 92  | (Schuitmaker) | Law enforcement; other; Michigan commission on law enforcement standards (MCOLES); create, and provide for powers and duties of that commission.  |
| SB 93  | (Schuitmaker) | Law enforcement; funds; administration of Michigan justice training fund; revise to reflect changes made under the Michigan commission on law enforcement standards act.  |
| SB 94  | (Schuitmaker) | Law enforcement; other; certain records of probation to be provided to the Michigan commission on law enforcement standards; require.   |
| SB 95  | (O'Brien)     | Law enforcement; funds; reference to Michigan justice training fund in the revised judicature act of 1961; modify.  |
| SB 96  | (O'Brien)     | Law enforcement; funds; reference to Michigan justice training fund in the code of criminal procedure; modify.  |
| SB 866 | (Schuitmaker) | Law enforcement; peace officers; reference to peace officer and law enforcement officer certification under the Michigan commission on law enforcement standards act in the natural resources and environmental protection act; modify. |

SB 867	(Schuitmaker)	Law enforcement; peace officers; reference to Michigan police officer certification under the Michigan commission on law enforcement standards act under the police officer's and fire fighter's survivor tuition grant act; modify.
SB 868	(Jones)	Law enforcement; peace officers; reference to police officer certification under the Michigan commission on law enforcement standards act in the revised judiciary act of 1961; modify.
SB 869	(Jones)	Law enforcement; peace officers; reference to peace officer certification under the Michigan commission on law enforcement standards act in the Michigan penal code; modify.
HB 5494	(Guerra)	Law enforcement; local police; reference to the commission on law enforcement standards act in the public body law enforcement act; modify.
HB 5495	(Chang)	Law enforcement; peace officers; reference to peace officer certification under the commission on law enforcement standards act in the wolf-dog cross act; modify.
HB 5496	(Lucido)	Law enforcement; peace officers; reference to inspector certification under the commission on law enforcement standards act in the Michigan unarmed combat regulatory act; modify.
HB 5497	(Kesto)	Law enforcement; peace officers; reference to law enforcement officers certification under the Michigan commission on law enforcement standards in the firearms act; modify.
HB 5498	(Kesto)	Law enforcement; peace officers; reference to certification of law enforcement officers under the Michigan commission on law enforcement standards act in the disclosure by law enforcement officers act, 2006 PA 563; modify.
HB 5499	(Cole)	Law enforcement; peace officers; reference to sergeant at arms certification under the Michigan commission on law enforcement standards act in the legislative sergeant at arms police powers act; modify.
HB 5500	(Tedder)	Law enforcement; peace officers; reference to peace officer certification under the Michigan commission on law enforcement standards in the Michigan vehicle code; modify.
HB 5501	(Crawford)	Law enforcement; peace officers; reference to peace officer certification under the Michigan commission on law enforcement standards act in the large carnivore act; modify.

Substitute (H-1) to SB 92 was previously adopted on February 23rd, 2016.

Gary Reed, representing the Michigan Association of Chiefs of Police, submitted a card in support of SB 92, SB 93 and SB 94, but did not wish to speak.

James R. Ryan, representing The Wayne County Airport Authority, submitted a card in support of the bills, but did not wish to speak.

David Hiller, representing the Fraternal Order of Police, submitted a card in support of SB 92, SB 93 and SB 94, but did not wish to speak.

George Carr, representing the Huron-Clinton Metroparks, submitted a card in support of SB 92 and SB 93, but did not wish to speak.

Shelli Weisberg, representing the American Civil Liberties Union of Michigan, submitted a card in support of the bills, but did not wish to speak.

Erick Williams submitted a card in support of SB 92 and submitted written testimony, but did not wish to speak.

David Harvey, representing the Michigan Commission on Law Enforcement Standards (MCOLES), testified in support of the bills. Questions and discussion followed.

Chairman Kesto laid the committee at ease, the time being 9:16 a.m.

Chairman Kesto called the committee back to order, the time being 9:20 a.m.

Representative Lucido moved to adopt the substitute (H-2) to SB 92. The motion prevailed, the vote being 10-0-0.

#### FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Cole, Runestad, Irwin, Robinson, Chang, Guerra.

Nays: None.

Pass: None.

Representative Heise moved to report out SB 92 with recommendation as substitute (H-2). The motion prevailed, the vote being 10-0-0.

#### FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Cole, Runestad, Irwin, Robinson, Chang, Guerra.

Nays: None.

Pass: None.

Representative Johnson moved to report out SB 93 with recommendation. The motion prevailed, the vote being 10-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Cole, Runestad, Irwin, Robinson, Chang, Guerra.

Nays: None.

Pass: None.

Representative Lucido moved to report out SB 94 with recommendation. The motion prevailed, the vote being 9-1-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Cole, Runestad, Irwin, Chang, Guerra.

Nays: Rep. Robinson.

Pass: None.

Representative Heise moved to report out SB 95 with recommendation. The motion prevailed, the vote being 11-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson, Chang, Guerra.

Nays: None.

Pass: None.

Representative Heise moved to report out SB 96 with recommendation. The motion prevailed, the vote being 11-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson, Chang, Guerra.

Nays: None.

Pass: None.

Representative Johnson moved to report out SB 866 with recommendation. The motion prevailed, the vote being 11-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson, Chang, Guerra.

Nays: None.

Pass: None.

Representative Cole moved to report out SB 867 with recommendation. The motion prevailed, the vote being 11-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson, Chang, Guerra.

Nays: None.

Pass: None.

Representative Heise moved to report out SB 868 with recommendation. The motion prevailed, the vote being 11-0-0.

#### FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson, Chang, Guerra.

Nays: None.

Pass: None.

Representative Cole moved to report out SB 869 with recommendation. The motion prevailed, the vote being 11-0-0.

#### FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson, Chang, Guerra.

Nays: None.

Pass: None.

Representative Guerra moved to adopt the substitute (H-1) to HB 5494. The motion prevailed, the vote being 11-0-0.

#### FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson, Chang, Guerra.

Nays: None.

Pass: None.

Representative Guerra moved to report out HB 5494 with recommendation as substitute (H-1). The motion prevailed, the vote being 11-0-0.

#### FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson, Chang, Guerra.

Nays: None.

Pass: None.

Representative Chang moved to adopt the substitute (H-1) to HB 5495. The motion prevailed, the vote being 11-0-0.

#### FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin,

Robinson, Chang, Guerra.  
Nays: None.  
Pass: None.

Representative Chang moved to report out HB 5495 with recommendation as substitute (H-1).  
The motion prevailed, the vote being 11-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin,  
Robinson, Chang, Guerra.  
Nays: None.  
Pass: None.

Representative Lucido moved to report out HB 5496 with recommendation. The motion  
prevailed, the vote being 11-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin,  
Robinson, Chang, Guerra.  
Nays: None.  
Pass: None.

Representative Cole moved to adopt the substitute (H-1) to HB 5497. The motion prevailed,  
the vote being 11-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin,  
Robinson, Chang, Guerra.  
Nays: None.  
Pass: None.

Representative Runestad moved to report out HB 5497 with recommendation as substitute (H-1).  
The motion prevailed, the vote being 11-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin,  
Robinson, Chang, Guerra.  
Nays: None.  
Pass: None.

Representative Howrylak moved to report out HB 5498 with recommendation. The motion  
prevailed, the vote being 11-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin,  
Robinson, Chang, Guerra.

Nays: None.

Pass: None.

Representative Cole moved to report out HB 5499 with recommendation. The motion prevailed, the vote being 11-0-0.

#### FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson, Chang, Guerra.

Nays: None.

Pass: None.

Representative Lucido moved to report out HB 5500 with recommendation. The motion prevailed, the vote being 11-0-0.

#### FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson, Chang, Guerra.

Nays: None.

Pass: None.

Representative Heise moved to report out HB 5501 with recommendation. The motion prevailed, the vote being 11-0-0.

#### FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson, Chang, Guerra.

Nays: None.

Pass: None.

Chairman Kesto laid the following bills before the committee:

HB 4973 (Sarah Roberts) Criminal procedure; records; child abuse offenders registry; create.

HB 4974 (Derek Miller) Criminal procedure; records; certain persons convicted of child abuse offense; require to register under the child abuse offender registry.

HB 4975 (Guerra) Criminal procedure; sentencing guidelines; sentencing guidelines for child abuse offenders registration act violation; provide for.

Chairman Kesto laid the committee at ease, the time being 9:31 a.m.

Chairman Kesto called the committee back to order, the time being 9:33 a.m.

Chairman Kesto recognized Representative Irwin for an explanation of his no vote on the referral of HB 4973, HB 4974 and HB 4975.

Chairman Kesto recognized Representative Robinson for an explanation of her no vote on the referral of HB 4973, HB 4974 and HB 4975.

Chairman Kesto recognized Representative Guerra for an explanation of her no vote on the referral of HB 4973, HB 4974 and HB 4975.

Representative Johnson moved to report HB 4973 with the recommendation that the bill be referred to the Committee on Families, Children and Seniors. The motion prevailed, the vote being 7-3-1.

**FAVORABLE ROLL CALL**

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad.

Nays: Reps. Irwin, Robinson, Guerra.

Pass: Rep. Chang.

Representative Heise moved to report HB 4974 with the recommendation that the bill be referred to the Committee on Families, Children and Seniors. The motion prevailed, the vote being 7-3-1.

**FAVORABLE ROLL CALL**

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad.

Nays: Reps. Irwin, Robinson, Guerra.

Pass: Rep. Chang.

Representative Lucido moved to report HB 4975 with the recommendation that the bill be referred to the Committee on Families, Children and Seniors. The motion prevailed, the vote being 7-3-1.

**FAVORABLE ROLL CALL**

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad.

Nays: Reps. Irwin, Robinson, Guerra.

Pass: Rep. Chang.

There being no further business before the committee, Chairman Kesto adjourned the meeting, the time being 9:39 a.m.

**Representative Klint Kesto, Chair**\_\_\_\_\_

Melissa Weipert, Committee Clerk  
House Judiciary Committee  
mweipert@house.mi.gov  
(517) 373-5176